

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 12, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-11449 - APPLICANT/OWNER: GREAT MALL OF LAS VEGAS, LLC

**** CONDITIONS ****

The Planning Commission (3-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. A Development Agreement for development of the UC-TC portion of the site shall be approved by the City Council prior to issuance of permits.
2. A Site Development Plan Review (SDR-10126) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Major Modification to amend a portion of the Town Center Land Use Plan from GC-TC (General Commercial – Town Center) to UC-TC (Urban Center Mixed Use – Town Center) on 24.91 acres adjacent to the northeast corner of Deer Springs Way and Grand Montecito Parkway. A related Special Use Permit (SUP-11444), Variance (VAR-13505) and Site Development Plan Review (SDR-10126) will also be heard with this item.

EXECUTIVE SUMMARY

This Modification pertains only to the eastern portion of the proposed mixed-use development consisting of a regional mall and residential condominiums. Designating the site UC-TC will allow high density residential and commercial uses on the same parcel and will permit flexibility in design. The request is acceptable, since the area shares some common characteristics with adjacent suburban-style Montecito Town Center developments while still allowing for more intense urban-style development next to a major freeway crossroads. A Development Agreement under separate application must also be approved by the City Council prior to permits for development activity on this site.

BACKGROUND INFORMATION

A) Related Actions

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| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest, including the subject site. The Planning Commission and staff recommended approval. |
| 11/07/01 | The City Council approved the Town Center Development Standards Manual, which designated the subject site as MS-TC (Main Street Mixed Use - Town Center). |
| 03/06/02 | The City Council approved a Development Agreement (DA-0002-01) between the City of Las Vegas and Montecito Town Center, LLC to establish standards for the 172-acre area within the Centennial Hills Town Center known as Montecito Town Center. The Planning Commission and staff recommended approval. |
| 04/07/04 | The City Council approved a Major Modification (MOD-3735) to the Montecito Development Agreement to add 10 acres to the plan at the southeast corner of Deer Springs Way and Grand Montecito Parkway. Also approved were a Special Use Permit (SUP-3503) for a gated subdivision with private streets and a Site |

Development Plan Review (SDR-3505) for a proposed 96-lot single-family residential development on the 10-acre site. This site is directly south of the subject property.

- 12/01/04 The City Council approved a Major Modification (MOD-5497) of the Town Center Land Use Plan to change the land use designation from MS-TC (Main Street Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) on 24.91 acres adjacent to the northwest corner of Deer Springs Way and U.S. Highway 95. The Planning Commission and staff recommended approval.
- 06/01/05 A request to amend the Master Plan of Streets and Highways to realign a portion of Grand Montecito Parkway between Dorrell Lane and Deer Springs Way was Withdrawn Without Prejudice by the City Council.
- 05/25/06 The Planning Commission held this item in abeyance to the 06/08/06 PC meeting to allow the applicant additional time to discuss and resolve access and traffic issues with the Department of Public Works
- 06/07/06 The City Council approved a General Plan Amendment (GPA-12273) to amend Map 2 and Map 6 of the Transportation Trails Element of the Las Vegas 2020 Master Plan to delete one Transportation Trail Alignment and revise two other alignments from Transportation Trails to Pedestrian Paths. The Planning Commission and staff recommended approval.
- 06/08/06 The Planning Commission recommended denial of companion items VAR-13505, SUP-11444 and SDR-10126 concurrently with this application.
- 06/08/06 The Planning Commission voted 3-3/se, bg, sd to recommend DENIAL (PC Agenda Item #24/ss).

B) Pre-Application Meeting

- 10/06/05 A neighborhood meeting will be required for this project. The Doe Brook right-of-way, which bisects the property, was discussed. Traffic signals must be in operation prior to opening of the mall. A right turn lane must be provided at Montecito Parkway and Deer Springs Way. The floor area ratio cap in the Montecito Town Center portion was discussed, as well as required open space. Streets will be designed to meet Town Center standards. A parking analysis will be required. Other issues included walls on the west side of Grand Montecito Parkway, signage, and landscaping.
- 11/21/05 Guidelines were given for submittal of Major Modification, Special Use Permit, and Site Development Plan Review applications for review. Applications should be updated as appropriate. The applicant was asked to clarify the site plan to show which part is located within the GC-TC District, and to provide an update of the current number of residential units in the Montecito area. The vicinity map

should show how major streets will be able to get to the project site. Cross sections of Grand Montecito Parkway should be provided showing the proposed parking structure.

C) *Neighborhood Meetings*

02/28/06 Over 150 members of the public were in attendance. Comments and concerns included the following:

- The Town Center portion should be two stories, and all high-rise development should be planned in the Montecito portion.
- Concerns about traffic in the area
- Issues with proposed bus stop
- There was a concern that the project was too large.
- A park should be located closer to the Timberlake area.

05/16/06 A second meeting was held at Santa Fe Station and was attended by 39 citizens. Representatives of the applicant told those gathered that if approved, the mall would break ground in April 2007, with the two anchors opening by 2008. The mall is to be three stories. The condominiums would be located in two 15-story towers, a point of concern for the neighbors. Residents also wanted to know about the size of the project, potential tenants, parking, gathering areas, where offices would be located, and weekend construction. Concerns from the public that could potentially become conditions of approval included the following:

- Security lighting – wanted minimum standards; no 30 foot poles
- Will exceed minimum landscape all around
- Bus stop & shuttle built by applicant
- Towers will follow 12 months behind mall
- Residents want retail kiosks in outside area
- Parking structure mesh wall to mitigate sound & light
- North-south parking trail
- Parking within the “lifestyle center” entrance

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 24.91
Net Acres: 22.38

B) Existing Land Use

Subject Property: Undeveloped
 North: Undeveloped
 South: Single Family Residential
 East: U.S. Highway 95
 West: Undeveloped

C) Planned Land Use

Subject Property: GC-TC (General Commercial – Town Center)
 North: PF-TC (Public Facilities – Town Center)
 South: L-TC (Low Density Residential – Town Center)
 East: ROW (Right-of-Way)
 West: MS-TC (Main Street Mixed Use – Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
 North: T-C (Town Center)
 South: T-C (Town Center)
 East: T-C (Town Center)
 West: T-C (Town Center)

E) General Plan Compliance

The subject site is designated TC (Town Center) on the Centennial Hills Interlocal Land Use Map in the Centennial Hills Sector Plan of the City's Master Plan. This category is intended to be the principal employment center for the Northwest and is a mixed-use development category. The mix of uses can include mall facilities, high-density residential uses, planned business, office and industrial parks and recreational uses, as compatibility allows. The existing T-C (Town Center) Zoning District conforms to the TC (Town Center) Master Plan land use designation, and the range of office, retail and high density residential uses also conforms to the TC designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Town Center	X	
Special Overlay District		X
Trails	X	
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment	X	
Project of Regional Significance		X

Town Center

The site is located within the Town Center Master Plan and is designated GC-TC (General Commercial – Town Center). This land use category allows all types of retail, service, office and other general business uses of a more intense commercial character. The applicant, through this Major Modification, requests to change the land use to UC-TC (Urban Center Mixed Use – Town Center), which typically consists of multi-story mixed-use developments that maximize the use of the property. There is no density limit in the UC-TC District; however, height standards and land availability restrict the number of units that can be provided.

Trails

A segment of a Multi-Use Transportation Trail is proposed on the north side of Deer Springs Way between Doe Brook Trail and Oso Blanca Road. On June 7, 2006 the City Council will consider a General Plan Amendment (GPA-12273) to amend Map 2 and Map 6 of the Transportation Trails Element of the Las Vegas 2020 Master Plan to delete this trail alignment. There are no other trails adjacent to the proposed project, except as required by Town Center roadway standards.

Development Impact Notice Assessment (DINA)

The proposed project is deemed to be a “Project of Significant Impact” based on traffic projections in the area. The applicant was required to submit an environmental impact questionnaire that was reviewed by various local and regional agencies. A summary of their comments appears below in the “Interagency Issues” section below.

INTERAGENCY ISSUES

Pursuant to Ordinance 5227 and in accordance with NRS Chapter 481, the proposed project is deemed to be a “Project of Significant Impact” because it proposes a commercial or industrial facility that will generate more than 3,000 average daily trips.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

- 1) The Las Vegas Valley Water District determined that the proposed project will not have a significant impact on the capacity of the District’s water supply system.
- 2) The Sanitary Sewer Planning Section of the Department of Public Works requires an update to the Montecito Town Center Sewer Master Plan to identify residential units in this area. The 10-inch sewer in the existing “old” Durango alignment shall be relocated. If not already constructed, the sewer in Grand Montecito Parkway shall be extended to the northern edge of the development, and the sewer crossing in Grand Montecito Parkway at I-215 shall be improved to 18-inch.

- 3) The Flood Control Section of the Department of Public Works requires a technical drainage study regarding the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to City of Las Vegas Flood Control Division for review and approval.
- 4) The Las Vegas Metropolitan Police Department is concerned that the proposed number of residential units will potentially increase the number of calls for service, thereby increasing response times in the area. The commercial portion of the project will also generate a number of calls that may increase response times in the area. The Department also wishes to be involved in the required Development Agreement process.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to making a decision on the proposal.

ANALYSIS

General Analysis and Discussion

The Town Center Development Standards Manual sets forth minimum standards for development in the UC-TC (Urban Center Mixed Use – Town Center) District. A Development Agreement for this portion of the project must be submitted for approval by the City Council by separate application prior to the issuance of permits.

The subject 24.91-acre site proposed to be re-designated to UC-TC (Urban Center Mixed Use – Town Center) makes up a portion of a larger 49.82-acre mixed-use development consisting of a regional mall and residential condominiums. The remaining portion is part of the Montecito Town Center area and is governed by an existing Development Agreement and land use/design standards.

FINDINGS

This site was designated MS-TC (Main Street Mixed Use – Town Center) when the Town Center plan was first approved. The vision for this area was to create a pedestrian oriented urban business district, with compatible commercial uses on the ground floor and medium to high density residential uses on upper floors. The area was to be intense in terms of scale of development; accordingly, the area between the U.S. 95 and 215 Beltway was reserved for this purpose. However, plans for a low-density residential subdivision within this area were already approved, limiting the height of potential surrounding projects. The Development Agreement for the Montecito Town Center area later carved out an area of existing MS-TC land and assigned new uses and standards to the area, further damaging the integrity of the MS-TC designation. Finally, the subject site itself was amended to the GC-TC (General Commercial – Town Center) designation to allow for a two million square foot regional mall with mostly retail uses. The descendant of that plan is being submitted concurrently with this Major Modification.

Given the actions of the past, the current request for UC-TC (Urban Center Mixed Use – Town Center) is appropriate. The type of development proposed for this area, a regional mall with a significant residential element, is in keeping with the surrounding Montecito land uses, which are primarily suburban. Though it is proposed on a parcel adjacent to existing single-family development, the residential element will be limited in height and location by Residential Adjacency Standards. The parcel's location adjacent to a city park also allows for further buffering from less intense development. The UC-TC designation will essentially allow for a mixed-use project within a suburban setting.

PLANNING COMMISSION ACTION

There were six speakers in opposition to the project. They were in complete opposition to the mid-rise residential.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 218 by Planning Department

APPROVALS 0

PROTESTS 0